**YESHIVAT HAR ETZION**

**ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)**

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**Deracheha: Women and Mitzvot**

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Dedicated by the Etshalom and Wise families in memory of

Mrs. Miriam Wise z"l, Miriam bat Yitzhak veRivkah, 9 Tevet.

Yehi Zikhra Barukh

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**Women's Status, Part 1**

Men's and Women's mitzva obligations are often, but not always, the same. Where do the similarities and differences come from and what do they mean?

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# **Creation**

Are all men – and women – truly "created equal?" The story of women's standing in Halacha begins with *Bereishit*.

*Bereishit* describes the creation of man and woman twice, once indicating gender parity and once highlighting difference. The first description, in *Bereishit* chapter 1, describes woman and man created together:

*Bereishit* 1:27 And God created man in His image, in the image of God He created him, male and female He created them.

Here God creates all people, male and female, in the Divine image.

The second description, in *Bereishit* chapter 2, takes a different approach. It goes into greater detail, first describing the creation of man and then revealing the motivation for creating woman from him:

*Bereishit* 2:18 And the Lord God said, 'It is not good for man to be alone, I will make him a helpmate corresponding to him.'

Here the woman's creation comes as an answer to man's needs. While *Bereishit* 1:27 does not present a meaningful gender difference at creation, 2:18 suggests there is one.

In the Talmud, Rav Yirmiya resolves the seeming discrepancy between the verses: The initial creation in the first chapter was of a single hybrid-gender creature, which God later splits into man and woman.

*Berachot* 61a R. Yirmiya son of Elazar said: The Holy One, Blessed Be He, created two faces on the first man [Adam].

Rav Yirmiya maintains that the creation of the human being is of a conjoined male and female, with "two faces," only later separated into two distinct beings.

What need was there for the split? So that the woman could be the man's "helpmate corresponding to him," "*ezer kenegdo.*" While many classic commentaries assume the female "helpmate" is subservient to the male, Rav Yitzchak Arama of fifteenth-century Spain teaches that the words "corresponding to him" actually point in the direction of parity.

Akedat Yitzchak, Bereishit 8 (1:27) That she [woman] will be for him [man] a suitable companion and partner, in accordance with his needs. For this purpose, I [God] will make him [man] the helpmate that is fitting and suitable for him, which is a "helpmate corresponding to him." That is to say, corresponding to his needs and equal to him.

Sometimes equal partners play similar roles, and sometimes distinct roles. Rav Arama speaks elsewhere both of a shared male-female pursuit of loving-kindness and of the uniqueness of mothering.[[1]](#footnote-1) Sometimes, as he writes here, one equal partner takes on a role that prioritizes the other.

How does the Torah envision the interplay of gender roles? Let's look at a few approaches.

# **Hierarchy**

Does God's design for creation include gender hierarchy? Many medieval commentators say that it does, and several of them even regard women as inferior to men.[[2]](#footnote-2)

Is this necessarily the case? No. There is no one definitive reading of Creation, and there are limits to the authority of homiletic readings of these texts.

## ● Has gender bias affected Halacha? (See Appendix One.)

Even those who subscribe to more hierarchical readings of Bereishit leave room for other interpretations. Rashba, who falls into this camp, acknowledges that the deeper truth of Creation goes beyond what we can access from the Torah's description and midrashic interpretations of it.[[3]](#footnote-3)

Even if men have hierarchical advantages over women, that does not necessarily mean that men are fundamentally superior to women nor does it give men license to treat women as inferiors. In the twelfth century, Ra'avad of Posquieres writes:

Ra'avad, Ba'alei Ha-nefesh Introduction "Helpmate," that she will serve him in all his needs. "Corresponding to him," that she will stand with him always; therefore, the Creator created her from Adam's body. Therefore Adam said when he saw her and when he knew that she was taken from him, “Therefore a man leaves his father and mother and cleaves to his wife,” meaning, this one is fitting to stand with me always and I with her and we will be 'as one flesh.' Therefore it is fitting for a man to love his wife like himself and to honor her and have mercy on her and protect her as he would protect one of his own limbs. And so she must serve him and honor him and love him like herself, for she was taken from him.

According to Ra'avad, hierarchy between the genders is inherent in creation. However, hierarchy is functional, a method for husband and wife to live in partnership. Even within that hierarchy, they should regard each other as parts of one whole, and relate to each other with love and respect.

# **A Kabbalistic View**

How can we understand gender hierarchy? An ambiguous phrase in the Torah's description of the *korban musaf* of Rosh Chodesh stimulates a surprising discussion of it: [[4]](#footnote-4)

Bemidbar 28:15 And a single male goat for a sin offering for God, in addition to the daily burnt offering, shall be done and its libation.

On Rosh Chodesh, we are to offer "a sin offering *for God*." One way to read that phrase is that we bring a monthly offering in response to a sin God has committed! What does this mean? Can God sin?

A Talmudic story explains:

Chullin 60b Rabbi Shimon ben Pazi cast [two verses against each other]. It is written "And God made the two great lights" and it is written "The great light and the small light"! The moon said before the Holy One Blessed Be He: Master of the World, can two kings share a single crown?

He said to her: Go diminish yourself!

She said before him: Master of the world, Because I said before you a proper thing, shall I diminish myself?

He said to her: Go and rule in the day and in the night.

She said to him: What is the gain in it? For a candle in the bright daylight, what benefit does it give?

He said to her: Go, that Israel will count days and years through you.

She said to him: Days too? It is impossible that they not count through him [the sun] the seasons, as it is written "and they will be for signs and for festivals and days and years".

[He said to her:] Go, let the righteous be called by your name: Yaakov the small, Shemuel the small, David…the small.

He saw that her mind was unsettled. Said the Holy One Blessed Be He: Bring an atonement for Me, that I diminished the moon. And that is what Rav Shimon ben Lakish said: How is the goat of Rosh Chodesh different, that "for God" is said regarding it? The Holy One Blessed Be He said: This goat will be an atonement for my diminishing the moon.

In this midrash, the moon complains at creation about co-dominance with the sun. God responds by ordering the moon to diminish herself. The moon has trouble accepting her punishment, so God establishes the lunar calendar and says the righteous will be likened to the moon. The moon, however, remains unsettled. Finally, God calls for a sin-offering at each new moon to atone for making her small.

"*Can* two kings share a single crown?" God has complete authority, and God is One. This story asks if two lesser beings can ever coexist on fully equal terms. Division of labor, as between night and day, fails to satisfy or to undo diminishment, and the last line offers us a mixed message: God seeks atonement, yet does not reverse the decision to diminish the moon. While it is regrettable, hierarchy might be inevitable.

The story repeatedly refers to the moon as a she.[[5]](#footnote-5) Picking up on this, the Zohar applies it to the status of a woman in her marriage:

Zohar Hadash I, Bereishit 24b Rabbi Yose son of Rabbi Shimon son of Lakonya came to show Rabbi Elazar son of Rabbi Shimon his son-in-law. His daughter came out, and he took her hands to kiss her. He said to her, "Go diminish yourself before your husband…"

On this reading, God’s rebuke of the moon becomes a father’s injunction to his daughter. Rabbi Yose says that "before [her] husband," a woman should diminish herself. The claim seems to be that men and women could not share the same status and expect marriage, or perhaps even society, to function.

According to this interpretation of the moon narrative, gender inequality is built into the world, perhaps for good reason, but remains problematic. It leads to grievances that call for atonement.

Hierarchy, however, is not eternal.[[6]](#footnote-6) Yeshayahu prophesies that at the end of days, the moon's light will be restored:

Yeshayahu 30:26 And the light of the moon will be like the light of the sun…

Men often seem to have preferential status, in and out of Judaism. This prophecy may mean that someday men's advantage will end.

Rav Chayim Vital, student of the Ari, teaches that the 'feminine' aspects of the world were diminished along with the moon (which contains them), and that this will change:

Rav Chayim Vital, Etz Chayim, *Sha'ar Mi'ut Ha-Yarei'ach* The purpose of the development of the feminine is…that two kings [masculine and feminine] will share one crown, which is what the moon [first] argued about, as is known…

Gender hierarchy may be but one example of a larger hierarchy between masculine and feminine aspects of the world bound to change as we approach redemption.

# **Complementarity**

In contrast to what we've seen so far, some notable later commentators have taken pains to show that gender distinction is not necessarily hierarchical. For example, Rav Samson Raphael Hirsch argues that "*ezer ke-negdo"* refers to complementarity, not hierarchy:

Rav S. R. Hirsch, Commentary to *Bereishit* 2:18 The task is too great for one, and there is a need to split it into two. For this reason the woman was added to the man, in order that [together] they will fill completely the purpose of the human being.… And "a helpmate corresponding to him" does not express subjugation, but rather full equality and equal independence. The woman is "corresponding to him" at the side of the man, comparable to him…

On this reading, a female helpmate is not a man's inferior, but a collaborator alongside him. Perhaps hierarchy can be useful for structuring society, but hierarchy between the genders is not an absolute mandate.[[7]](#footnote-7) Man and woman's first creation is shared, as a joint human; separation is secondary.[[8]](#footnote-8)

Rav Soloveitchik puts this in existential terms.[[9]](#footnote-9)

Rabbi Joseph B. Soloveitchik, “Adam and Eve,” *Family Redeemed, pp. 17-18* Had Adam needed a partner for practical reasons alone – to lighten his economic burden, to enable him to procreate, or to allow him a satisfactory sexual life – there would have been no necessity for the creation of Eve... What he needed was not a practical partnership but an ontological community where his lonely existence could find completeness and legitimacy.

The partnership of man and woman goes beyond the practical: Man and woman answer each other's need for community; they 'complete' each other.

Following Rav Hirsch and Rav Soloveitchik, we can learn from creation thatwomen and men fill complementary roles, but hierarchy is not an essential part of their relationship.

We are all, from creation, first and foremost human beings, not men or women. As Rav Moshe Feinstein writes, the genders have equal sanctity:

Rav Moshe Feinstein, *Igerot Moshe*, OC IV:49 It is necessary to know that this [halachic distinction] is not because women are at a lower level of sanctity than men. For with respect to sanctity, they are equal to men, with respect to the relevance of the obligation in *mitzvot* that derives only from the sanctity that inheres in Israel … and all the verses referring to sanctity were said also for women….

## There are some practical halachic differences between women and men, but they come second to our shared sanctity as children of Israel.[[10]](#footnote-10)

## ● What can we do with our questions about women and mitzvot? (See Appendix Two.)

**Appendices**

## ● Appendix One: Has gender bias affected Halacha?

*We believe that Torah law transcends human judgment and knowledge.*

*Since our sages' teachings represent a received tradition of Torah She-be'al Peh, transmitted orally from generation to generation, the Torah's credibility on these laws effectively becomes theirs.*

*Sometimes, however, interpretations of Jewish law offered by our sages may not seem to match up with the plain meaning of the Torah. At other times, sages have viewpoints that are in dispute. And sometimes these interpretations or disputed viewpoints take a perspective on gender that may not sit well with us.*

*Most people of the ancient and medieval worlds regarded women as men's inferiors. Should we be concerned that gender bias has affected Halachic teachings from those times?*

*We must trust that our sages have no intent to interpret Torah in line with a particular agenda or bias foreign to Torah. Even when they are innovative, or when their transmission of tradition is unclear, our sages are first and foremost attempting to interpret and uphold the Torah and its values.*

*Like us, our sages were human, living in specific places and times. Unlike us, our sages have a unique stature, coupled with a Divine mandate to establish Halacha.*

*When he describes our sages' halachic role, Ramban explains how this mandate works:*

Ramban on the Torah, *Devarim* 17:11 Even if you think in your heart that they [the sages of the Sanhedrin] are in error, and the matter is as clear to you as knowing your right hand from your left, do as they command… For according to their knowledge does He give us the Torah, even if it should be in your eyes as one who switches left for right. How much more so that you should think that they call right what is right, for the spirit of God is on the servants of His sanctuary and He does not abandon his followers. They are ever protected from mistake and from stumbling block.

*Ramban anticipates that a person might sometimes think the Sanhedrin's halachic rulings are mistaken, but he assures us that we should assume that their right* is *right, and not only because God has given them authority. Why? "The spirit of God" guides them.*

*We should believe that God watches over Halacha, so that it comes out right. When a halachic ruling that has been accepted as authoritative seems difficult to us, we should humbly trust that, over time, we will come to recognize the Divine in the halacha. Our greatest halachic authorities often distinguish themselves by helping us see how the spirit of God has guided halachic discussion right from the beginning.*

## ● Appendix Two: What can we do with our questions about women and mitzvot?

*When our sages discuss the genders or when Halacha distinguishes between them, it can sometimes ring unconvincing or discordant to the modern ear.*

*What can we do about that? Seven things:*

*I.* ***Ask Honestly*** *We should honestly acknowledge these issues when they arise. We can say that something is challenging for us to hear or to identify with, without disparaging its source or undermining its validity.*

*II.* ***Look Deeper*** *We should explore them thoroughly and with an open mind, in faith that Halacha can stand up to scrutiny. Careful study can help us find interpretations that bring us closer to our sages' perspectives or reach conclusions about how to think about these issues.*

*Too often, ignorance amplifies difficulties or even creates them. Knowledge can help us hone in on the real issues we need to address, and develop perspective on them. Many seemingly modern questions have actually been raised and addressed in the past, often in surprising ways.*

*III.* ***Challenge Ourselves*** *At the same time, we should recognize that we bring our own biases, conscious and unconscious, to our learning. Ways of thinking shift from generation to generation. Our perspective on gender and definitions of bias inevitably reflect the time we live in. Serious learning often pushes us to reconsider our initial assumptions or to pursue new trains of thought. Keeping that in mind can help our study maintain a respectful tone.*

*IV.* ***Respect our Sages*** *It is also important to remember that we lack the tradition and erudition of our sages. The earlier and more authoritative the source, the greater the humility with which we should approach it.*

*V.* ***Classify the Discussion*** *We should keep in mind that Jewish tradition is multi-vocal, so there is some freedom to prefer certain strands of thought in homiletics or theology to others. There is less freedom in Halacha, where we are often bound by precedent and where authority is more decisive, but rejected halachic opinions are not authoritative.*

*VI.* ***Turn to Authorities*** *Once we know a topic well, we can communicate effectively with halachic authorities. Study gives us a deeper understanding of what they say, and a greater ability to express our thoughts to them in halachic terms.*

*VII.* ***Persist*** *What if learning and discussion fail to resolve our questions or leave us with new ones? Sometimes, we have to live with tough questions because we are committed to Halacha. However, "She'elat chacham chatzi teshuva." "The question of a wise person is [itself] half[way to] an answer." If we persist, continuing to learn and discuss the issues, we can actively help new answers emerge.*

*How does this work in practice? Let's take women's learning Torah as an example.*

*In* [*Learning Torah II*](file:///C:\Users\LNovick\Downloads\deracheha.org\learning-torah-2-obligation)*, we saw Rabbi Eliezer's statement that "Whoever teaches his daughter Torah is akin to teaching her nonsense." How could Torah possibly lead someone astray? Why should this apply to women?*

*On* [*Deracheha*](file:///C:\Users\LNovick\Downloads\deracheha.org\learning-torah-2-obligation)*:*

*(I) We openly asked the question of why Rabbi Eliezer says this, acknowledging that it can be hard to fathom. (II) Further exploration of Rabbi Eliezer's statement led us to suggest that it is more a reflection of his rigid and zealous stance on Torah transmission than of a particular attitude toward women. (III) We came to this idea by taking modern attitudes about women seriously as we explored our question, without assuming that they are infallible or superior to Rabbi Eliezer's. (IV) We approached Rabbi Eliezer with respect and humility without denying the challenge his statement poses.*

*(V) In exploring the halacha of women's learning Torah, one of the central points of discussion became whether Rabbi Eliezer's statement is a binding halachic prohibition. By the end of* [*Learning Torah IV*](file:///C:\Users\LNovick\Downloads\deracheha.org\learning-torah-4-what-to-study)*, describing current halachic rulings and their connection to the past, we saw much evidence of God's spirit guiding Halacha and (VI) were in position to ask any remaining questions from a point of appreciation and understanding. (VII) As part of our commitment to Halacha, we continue to ask and explore unresolved questions.*

**Further Reading**

1. Henkin, Rav Yehuda. *Equality Lost.* Jerusalem: Urim Publications, 1999.

2. Heshelis, Devorah. *The Moon’s Lost Light*. Southfield: Targum Press, 2006.

3. Schneider, Sarah. *Kabbalistic Writings on the Nature of Masculine and Feminine.* Northvale: Jason Aronson, 2001.

4. Soloveitchik, Rabbi Joseph B. “Adam and Eve.” In *Family Redeemed: Essays on Family Relationships*. Edited by David Shatz and Joel B. Wolowelsky. Jersey City: KTAV, 2000, 3-30.

1. Akeidat Yitzchak Bereishit Section 9:73 Through these two names [for woman] is explained that a woman has two purposes. The first is what the name *Isha* [woman] teaches, 'for from *Ish* [man] was this one taken,' and like him [a man] she can understand matters of reason and prosper in matters of loving-kindness, as did our foremothers, some righteous women, and female prophets…The second is the matter of childbearing and her being the vessel for it and imprinted for childbirth and raising children, as the name Chava [Eve] teaches. [↑](#footnote-ref-1)
2. See, for example, Radak and Abarbanel on this verse, and Rashba Responsa I:60*,* For a survey, see Avraham Grossman, *Ve-hu Yimshol Bach* (Jerusalem: Merkaz Zalman Shazar, 2010). [↑](#footnote-ref-2)
3. Rashba, Responsa 1:60 Know that the words of the verses and the words of the homiletics [are by] way of hints and physical images to depict the matters in the souls. [↑](#footnote-ref-3)
4. This section draws on the innovative discussions of gender and hierarchy in Judaism, drawing heavily from *kabbala*, in Devorah Heshelis, *The Moon’s Lost Light* (Southfield: Targum Press, 2006) and Sarah Schneider, *Kabbalistic Writings on the Nature of Masculine and Feminine* (Northvale: Jason Aronson, 2001).  [↑](#footnote-ref-4)
5. There are various ways to interpret this passage allegorically. For example, we can understand the moon and its diminution as representing the Jewish people, small in number comparison to non-Jews, but dear to God in ways that will be more evident in the world to come (Bereishit Rabba 6:3). For our purposes, we will focus on the element of gender. [↑](#footnote-ref-5)
6. See note 5 above for two modern female thinkers who have developed ideas along these lines. [↑](#footnote-ref-6)
7. The Talmud understands Chava's curse in *Bereishit* 3:16, והוא ימשול בך"" "and he will rule over you," as referring specifically to the context of asking for marital relations, not to general hierarchy:

   עירובין ק: והוא ימשל בך מלמד שהאשה תובעת בלב והאיש תובע בפה.

   *Eruvin* 100b “And he will rule over you” – this teaches that a woman asks [for relations] non-verbally and a man asks verbally.

   Rashi adopts this explanation in his commentary *ad loc*. [↑](#footnote-ref-7)
8. Rav S. R. Hirsch, Commentary to *Bereishit* 2:22 Man, as it were, was divided, and the one part formed into Woman ... built out, arranged as Woman. So that what was previously one creature was now two, and thereby the complete equality of women forever attested. [↑](#footnote-ref-8)
9. Rabbi Joseph B. Soloveitchik, “Adam and Eve” in *Family Redeemed: Essays on Family Relationships*, ed. David Shatz and Joel B. Wolowelsky (Jersey City: KTAV, 2000), 17. See also "Partnerships Fulfilled and Frayed" in *Abraham's Journey*, ed. David Shatz, Joel B. Wolowelsky, and Reuven Ziegler (Brooklyn: KTAV, 2008), 114-116: “Rather, Sarah in her own right was a major figure, as important as Abraham…. Abraham would not have succeeded without Sarah's cooperation…. There was an existential interdependence between Abraham and Sarah. In a word, at creation man and woman together, and only together, achieved human dignity, *imago Dei*." [↑](#footnote-ref-9)
10. See also:

    Rabbi Joseph B. Soloveitchik, “Adam and Eve,” *Family Redeemed* , p. 71 There is no doubt that in the eyes of the Halakhah man and woman enjoy an equal status and have the same worth as far as their *humanitas*is concerned. Both were created in the image of God, both joined the covenantal community at Sinai, both are committed to our metahistorical destiny, both crave and search for God, and with both He engages in a dialogue... [↑](#footnote-ref-10)